

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**GENBAND US LLC,**

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**Plaintiff,**

**v.**

**Civil Action No. 2:16-cv-582**

**METASWITCH NETWORKS LTD,  
ET AL.**

**Defendants.**

§

**GENBAND'S SUPPLEMENTAL ANSWER TO DEFENDANTS' COUNTERCLAIMS**

Plaintiff GENBAND US LLC (“GENBAND”), by and through its undersigned attorneys, hereby submits this Supplemental Answer to the Third Amended Counterclaims of Metaswitch Networks Ltd. and Metaswitch Networks Corp. (collectively, “Defendants” or “Metaswitch”), filed on December 1, 2014 in Case No. 2:14-cv-33 in the Eastern District of Texas, and the Amended Counterclaims of Metaswitch, filed on April 16, 2015 in Case No. 2:14-cv-744 in the Eastern District of Texas. This document is a supplement to, and not an amendment of, Genband’s answers. *See* Dkt. No. 112 (’33 Action) & Dkt. No. 81 (’744 Action).

**SUPPLEMENTAL ADDITIONAL DEFENSE**  
**(Collateral estoppel and res judicata)**

1. Metaswitch’s Counterclaims are barred, in whole or in part, by the doctrines of collateral estoppel and/or res judicata.

Dated: July 28, 2016

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**Attorneys for GENBAND US LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that counsel of record are being served this 28th day of July, 2016, with a copy of this document via electronic mail.

*/s/ Susan Kennedy*  
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Susan Kennedy